

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



Permit Operations Division

Code Modification Number: _____

APPLICATION FOR MODIFICATION OF CONSTRUCTION CODE REQUIREMENTS (OR VARIANCE OF FLOOD HAZARD RULES)

Project Address: _____	Building Permit # (if applicable): _____
Applicant: _____	Applicant Phone: _____
Applicant Address: _____	Applicant Email: _____
Applicant's Relationship to Project: _____	
Owner: _____	Owner Phone: _____
Owner Address: _____	Owner Email: _____

(Use additional sheets as necessary.)

In accordance with Section 104.10 of the Construction Codes (Title 12 of the District of Columbia Municipal Regulations (DCMR)), I hereby request approval of the proposed modification of the following section(s) of the Construction Codes as applied to the above-referenced project/permit. [Please identify by specific citation to Title 12 of the DCMR or to the International Codes as applicable.] *(Use additional sheets as necessary.)*

1) Are there specific individual reasons that make the application of the strict letter of the Construction Codes impractical?

☐ Yes ☐ No

If yes, please explain in the space provided. Use additional sheets as necessary.

2) Is the requested modification in compliance with the intent and purpose of the Construction Codes?

☐ Yes ☐ No

If yes, please explain in the space provided. Use additional sheets as necessary.

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3) Does the requested modification lessen health, accessibility, life and fire safety, or structural requirements?

☐ Yes ☐ No

If yes, please explain in the space provided. Use additional sheets as necessary.

4) Is the project address located in a flood-hazard area?

☐ Yes ☐ No

Projects in flood hazard areas require additional review, including by the Department of Energy and Environment (DOEE). The Flood Insurance Rate Map, <http://ddoe.dc.gov/floodplainmap>, shows the flood hazard areas, with additional information at <http://ddoe.dc.gov/service/flood-risk-maps> or from DOEE's Watershed Protection Division, Technical Services Branch, at (202) 535-2240.

If No, skip to p. 3 and provide D.C. Registered Professional's Seal and signatures of Applicant and Owner

If yes, complete Part I of the "Supplemental Information for Flood-Hazard Areas," and submit this information sheet with the modification application.

Does the requested modification require a variance from the requirements of the Flood Hazard Rules (Chapter 31 of Title 20 of the DCMR)?

☐ Yes ☐ No

If yes, identify the specific provision(s) of the Flood Hazard Rules from which a variance is requested _____ and complete Part II of the "Supplemental Information for Flood-Hazard Areas" and submit this information with the modification application.

NOTE: All projects located on a lot which is wholly or partially in a flood hazard area MUST complete the "Supplemental Information for Flood-Hazard Areas". A requested modification or variance for a project located in a flood hazard zone may be subject to review by DOEE.

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D.C. Registered Design Professional's Seal

A registered design professional's seal is required unless the applicant can demonstrate **to the satisfaction of the Code Official** that the proposed modification does not affect a technical, structural, fire safety or design requirement, or any requirement affecting the public health, safety or welfare, or involving the practice of engineering. **If a seal is not provided, please justify the absence in the space provided. Use additional sheets as necessary.**

Owner's Signature: _____ Applicant's Signature: _____

Printed Name: _____ Printed Name: _____

Date: _____

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DCRA Reviewer's Comments:

☐ Recommend Approval ☐ Recommend Disapproval DCRA Reviewer's Signature: _____
Date: _____ Printed Name: _____

DOEE Reviewer's Comments (if lot in a flood hazard area subject to DOEE review):

☐ Recommend Approval ☐ Recommend Denial DOEE Reviewer's Signature: _____
Date: _____ Printed Name: _____

Chief Building Official Comments and/or Conditions:

For projects in a flood hazard area , the Applicant/Owner is hereby put on NOTICE of the following:

- The difference between the design flood elevation and the elevation to which the building is to be built is: _____;
- The cost of flood insurance will be commensurate with the increased risk resulting from a reduced floor elevation (of up to twenty-five dollars (\$25.00) for every one hundred dollars (\$100.00) for flood insurance); and
- Construction below the design flood elevation increases risks to life and property.

☐ Approved ☐ Denied

Date Chief Building Official Signature

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SUPPLEMENTAL INFORMATION FOR FLOOD-HAZARD AREAS

PART I-Request for Modification of Construction Codes

Pursuant to Section 104.10.1 of the Construction Codes, approval of a requested modification of any provision of the Construction Codes for a property in a flood hazard area requires a determination by the Code Official that at least each the following conditions is met. Please provide the following information to evaluate the requested modification:

A. Provide good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 of the Construction Codes inappropriate. **Please explain in the space provided. Use additional sheets as necessary.**

B. Provide evidence that failure to grant the requested modification would result in exceptional hardship by rendering the lot undevelopable. **Please explain in the space provided. Use additional sheets as necessary.**

C. Provide evidence that the granting of the requested modification will **not** result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances. **Please explain in the space provided. Use additional sheets as necessary.**

D. Provide evidence that the requested modification is the minimum necessary to afford relief, considering the flood hazard. **Please explain in the space provided. Use additional sheets as necessary.**

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PART II-Request for Variance of Flood-Hazard Rules

Pursuant to Section 3108 of the Flood Hazard Rules (Chapter 31 of Title 20 of the DCMR), approval of a requested variance from the Flood Hazard Rules requires a determination by the Code Official that at least each of the following conditions is met. A requested variance that may affect the base flood elevation as provided by 20 DCMR, Section 3105.8 also requires DOEE review.

Note: No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the base flood elevation.

Please provide the following information to evaluate the requested variance:

A. Will the requested variance affect the base elevation?

☐ Yes ☐ No

Please explain in the space provided. Use additional sheets as necessary.

B. Provide evidence that the full performance of the requirements of the Flood Hazard Rules would result in undue hardship by reason of excessive structural or mechanical difficulty or impracticality of bringing the premises affected into full compliance with the Flood Hazard Rules. **Please explain in the space provided. Use additional sheets as necessary.**

C. Provide evidence that the requested variance would not result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on, or victimization of the public or conflict with any other applicable laws and regulations. **Please explain in the space provided. Use additional sheets as necessary.**

D. Provide evidence that the requested variance involves only the least modification necessary to provide relief. **Please explain in the space provided. Use additional sheets as necessary.**

Owner's Signature: _____ **Applicant's Signature:** _____

Printed Name: _____ **Printed Name:** _____

Date: _____